Declaratory Resolution

No. 39.

For vacating the alley between lots 15 and 29 Electric Light Addition.

Adopted March 17th 1898.

Hearing April 7th, 1898.

Department of Public Works,

Office of the Board, Room No. 2, City Hall.

Fort Wayne, Indiana, March 17,1898.

DECLARATORY RESOLUTION NO. 39.

For the vacation of the alley between lots 15 & 29 Electric Light Addition to the City of Fort Wayne, Indiana, from Zollars Avenue to Gutherie street,

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary to vacate the alley between lots No. 15 and 29 Electric Light Addition from Zollars Avenue to Gutherie street.

The property which may be injuriously or beneficially affected by the vacation of said alley above described is described as lots Nos. 15 & 29 Electric Light Addition. All as shown on the plan of such proposed vacation of said alley as above described now on file in the office of the Board of Public Works of said city. All of said alley and lots affected by the vacation of said alley being situated in the City of Fort Wayne, County of Allen and State of Indiana. The cost of said vacation of said alley and all expenses connected therewith to be assessed against any and all property beneficially affected thereby.

Adopted this 17th day of March,1898.

Peter Eggeman

P. H. Kane

J. M. McCracken

Board of Public Works.

Attest:- A. M. Schmidt.

Clerk.

FORM 3-1000-5-11

PETITION.

Fort Wayne, March 11, *1898*

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned, owners of real estate fronting on alley running North and South, *from* Zollars Avenue *to* Guthrie Street *respectfully petition for the passage of a resolution providing for* the vacation of said alley running North and South from Zollars Avenue to Guthrie Street, separating Lots 15 and 29 in Electric Light Addition to the City of Fort Wayne, Indiana; That the vacation of said alley does not in any manner affect any other property, or persons interested in any other property, through which said alley runs. That heretofore, to wit, in the year 1890, Charles Feichter, then the owner of one of said lots, filed his petition before the Common Council, asking for a vacation of said alley. His petition was, on the 14th day of July, 1890, referred to the Committee on Streets, and afterwards, towit, on the 22nd day of July, 1890, said committee submitted the following report; "We report in favor of vacating the alley between Lots 15 and 29 in Electric Light Addition to Fort Wayne, provided the necessary expenses are paid in the Treasury" which report was concurred in by the Common Council. The law, at that time, required the appointment of appraisers to assess the benefits and damages, in order to legally vacate said alley. This, it appears from the rec ord, was never done, and hence said alley was not vacated, and necessitates the filing of this petition. Said Feichter, the then owner of one of the said lots, believing that said alley was legally vacated, built a house on said premises which house occupies his half of said alley, and great injustice would be done him, if said alley is not vacated.

WHEREFORE, Your petitioners respectfully petition you for the passage of a resolution providing for said vacation, and that other matters and things be done as required by law, in order to legally vacate said alley.

J. Zeichter
Charles Feichter
Daniel Kemp
Louisa Sordelet

PETITION FOR PASSAGE

of a Resolution for ~~Improving~~

Closing the alley between lots 15 and 29 Electric Light Addition

from ..... *street*

to ..... *street*

FILED WITH THE

Plat ordered March 14/98.

Lowry, Spencer & Lowry,

Attorneys for Petitioners.

ARCHER, HOUSH & CO., FT. WAYNE, IND.

Deaprtment of Public Works,

Office of the Board, Room No. 2, City Hall

Fort Wayne, Indiana, ~~March 19,~~ Oct 24 1899.

"OPENING AND EXTENDING OF FOURTH STREET."

Declaratory Resolution No 58.

1899.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to extend and open Fourth Street in the City of Fort Wayne, Allen County and State of Indiana from the east property line of North Calhoun Street to the west property line of North Clinton street. Said Extension and opening to have a width of 50 feet to be made be condemning and appropriating for street purposes a strip of land described as follows, to-wit:

Commencing at a point on the east line of north Calhoun street 50 feet east of the northeast corner of lot No. 142 Northside Addition to the City of Fort Wayne, Allen County, Indiana, thence east on the south line of Fourth street as laid out in the said Northside Addition produced east, to the west line of Clinton street; thence north fifty feet on the west line of Clinton street; thence west paralell with the south line of said Fourth street extended east as above described, to the east line of north Calhoun street, thence south on the east line of Calhoun street 50 feet to the place of beginning.

The above described tract of land being a part of lot No. 6, Wells Reserve situated in Township 30, North Range 12 East of the Second Principal Meridian of Indiana.

All as shown by the plan of such proposed extension and open-

ing of Fourth Street, above described now on file in the office of the Board of Public Works of said City. The property which may be injuriously or beneficially affected by the extending and opening of Fourth street as above described is described as all parcels and lots of land not occupied by streets or alleys lying west of the east line of City Park Addition, north of the St. MAry's River, east of St. Mary's Avenue, and south of Archer Avenue and the no rth line of the land known as the Catholic Orphan Asylum ground. Also all lands "including the right-of-way" of the Fort Wayne, Jackson and Saginaw Railroad Company, the Fort Wayne and Jackson Railroad Company, and the Lake Shore and Michigan Southern Railway Company, lying west of Clinton Street, north of the ST. Mary River, east of Calhoun Street, and south of the Canal Feder. All of said street and lots and parcels of land being located in the city of Fort Wayne, Allen County, Indiana.

Adopted this 26th day of October, 1899.

Attest: A. L. Schmidt
Clerk.

H. Eggemann
P. H. Kane
J. K. McCracken
Board of Public Works.

Digitized by the Internet Archive
in 2015

https://archive.org/details/declaratoryresol3918unse